

FIRST REGULAR SESSION

SENATE BILL NO. 161

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHIELDS.

Pre-filed December 6, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0508S.011

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to quality rating system for child care facilities.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be known as section 210.205, to read as follows:

210.205. 1. By January 1, 2008, the department of social services and the department of health and senior services, in collaboration with the department of elementary and secondary education, shall develop a quality rating system for child care facilities and early childhood programs operated in this state. Such ratings shall be built upon Missouri's current system of licensing and regulation. The base level of the rating system shall be licensing, and the highest level of the rating system shall be accreditation by a state or nationally recognized accrediting agency. The departments of social services and health and senior services shall utilize the model from the existing Missouri quality rating system pilots developed by the University of Missouri Center for Family Policy and Research, or any successor organization, to establish this system.

2. The quality rating system shall:

(1) Provide information for consumers and parents to evaluate and select high quality early childhood programs;

(2) Create an accountability system for policymakers and those who fund early childhood programs;

(3) Guide providers through a system of ever increasing levels of quality with specific outcomes.

3. By July 1, 2011, one hundred percent of all child care facilities

22 and early childhood programs shall be rated using the quality rating
23 system established under this section. When fifty percent of all child
24 care facilities and early childhood programs have been so rated, the
25 coordinating board for early childhood, established under section
26 210.102, shall have developed a plan for a tiered system of
27 reimbursement for child care subsidies based on the quality rating
28 system established under this section. The plan shall be submitted to
29 the general assembly with recommendations for implementation of the
30 reimbursement system.

31 4. There is hereby created in the state treasury the "Early
32 Childhood Program Quality Improvement Grant Fund", which shall
33 consist of all gifts, donations, transfers, moneys appropriated by the
34 general assembly, and bequests to the fund. The state treasurer shall
35 be custodian of the fund and shall approve disbursements from the
36 fund in accordance with sections 30.170 and 30.180, RSMo. Upon
37 appropriation, money in the fund shall be used solely for the
38 administration of this section to provide grants directly to child care
39 or early childhood providers seeking assistance for quality
40 improvements to undergo evaluation under the quality rating system
41 established under this section or to community-based organizations
42 assisting providers with such improvements. The fund shall be
43 administered by the department of health and senior
44 services. Notwithstanding the provisions of section 33.080, RSMo, to
45 the contrary, any moneys remaining in the fund at the end of the
46 biennium shall not revert to the credit of the general revenue
47 fund. The state treasurer shall invest moneys in the fund in the same
48 manner as other funds are invested. Any interest and moneys earned
49 on such investments shall be credited to the fund.

50 5. The departments of social services and health and senior
51 services shall be responsible for:

52 (1) Collecting and distributing resource materials to educate the
53 public and child care and early childhood providers about the quality
54 rating system established under this section;

55 (2) Developing and distributing educational materials, including
56 but not limited to brochures and other media as part of a
57 comprehensive public relations campaign about the useful and
58 informational system of assessing the quality of child care and early

59 childhood programs in Missouri; and

60 (3) Posting the ratings of the quality rating system on the
61 Internet in a format easily understood and accessible by the public by
62 January 1, 2009.

63 6. The departments of social services and health and senior
64 services shall promulgate rules to implement the provisions of this
65 section. Any rule or portion of a rule, as that term is defined in section
66 536.010, RSMo, that is created under the authority delegated in this
67 section shall become effective only if it complies with and is subject to
68 all of the provisions of chapter 536, RSMo, and, if applicable, section
69 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable
70 and if any of the powers vested with the general assembly pursuant to
71 chapter 536, RSMo, to review, to delay the effective date, or to
72 disapprove and annul a rule are subsequently held unconstitutional,
73 then the grant of rulemaking authority and any rule proposed or
74 adopted after August 28, 2007, shall be invalid and void.

75 7. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

76 (1) The provisions of the new program authorized under this
77 section shall automatically sunset six years after the effective date of
78 this section unless reauthorized by an act of the general assembly; and

79 (2) If such program is reauthorized, the program authorized
80 under this section shall automatically sunset six years after the
81 effective date of the reauthorization of this section; and

82 (3) This section shall terminate on September first of the
83 calendar year immediately following the calendar year in which the
84 program authorized under this section is sunset.